Department of Planning and Environment

Our ref: OUT22/6268

Alison Sharp
Planning and Assessment Group
NSW Department of Planning and Environment

Email: Alison.Sharp@planning.nsw.gov.au

14 July 2022

Subject: Albion Park Quarry **Stage 7 (SSD-10369) Environmental Impact Statement (EIS)**

Dear Ms Sharp

I refer to your request for advice sent on 18 May 2022 to the Department of Planning and Environment – Water (the Department) about the above matter.

This project proposal is to extend the existing quarry footprint by 20ha to a total disturbance area of 36ha. The project life is to be extended by 15 years and existing processing infrastructure is to be used.

The department has reviewed the EIS and is seeking further confirmation regarding water licensing for the project and the implementation of setbacks to waterfront land. Additionally, we have provided post approval recommendations to ensure effective water monitoring and management. Please see **Attachment A** for more detail.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments water.assessments@dpie.nsw.gov.au. or to the following coordinating officer within the department:

Tim Baker – Senior Project Officer
E: Tim.Baker@dpie.nsw.gov.au

Yours sincerely

E Rogers

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning and Environment: Water

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Albion Park Quarry Project Stage 7 (SSD-10369) Environmental Impact Statement (EIS)

1.0 Water Take

1.1 Recommendation – Prior to Determination

- The proponent needs to demonstrate sufficient entitlements can be obtained.

Explanation

The proponent is yet to demonstrate the ability to acquire a water entitlement to account for potential water take from the Illawarra Rivers water source. Whilst there is sufficient entitlement available in this water source there are limited licences available and limited evidence of active trading. This needs to be addressed to mitigate a potential risk to the project.

The department advises there is no option to use a net water balance to reduce the groundwater take requirement as proposed by the proponent. As such, 68ML of entitlement would be required in the Sydney Basin South Groundwater Source and 2ML would be required from the Minnamurra River Management Zone of the Illawarra Rivers Water Source.

1.2 Recommendation – Prior to Determination

- The proponent provides a consolidated water balance for the project that clearly identifies the volumes and sources of water inputs and proposed demands.

Explanation

The project documentation notes water requirements are 110ML, but it is unclear what this is required for and where it will be sourced from. The water balance should include groundwater inflows, surface water inflows and site water demands.

1.3 Recommendation – Post Determination

- The Water Management Plan defines the process to measure and report on annual water take against licences held, and a commitment to account for any post-quarry life water take.

Explanation

The EIS does not inform on a process to measure annual take of groundwater or surface water (exempt and licensed) and if this will be reported in the annual review. There is also no reference to how to account for groundwater take post quarry life activities. These commitments should be addressed in a Water Management Plan.

2.0 Waterfront Land

2.1 Recommendation – Prior to Determination

- A review is requested of the works on waterfront land to show due consideration to the setback requirements in the Guidelines for Controlled Activities on Waterfront Land.

Explanation

Works are proposed within waterfront land of a second order watercourse on Lot 3709. These works need to be considered for setback requirements in accordance with the Guidelines for Controlled Activities on Waterfront Land. A 20m setback measure from top of bank should be provided for each side of the watercourse.

2.2 Recommendations – Post Determination

- Works on waterfront land should be in accordance with the Guidelines for Controlled Activities on Waterfront Land.

3.0 Groundwater Monitoring and Management

3.1 Recommendation – Post Determination

- A water census of the neighbour's bore (GW100090) located in proximity to the southern boundary be undertaken and a performance target be made transparent for 'if and when' the 'make good' provision would apply.

Explanation

A commitment to the provision of 'make good' is stated for a neighbour's water supply bore if impacted, albeit not predicted to occur from the groundwater model. However, a water census of the bore water yield and a performance target has not made transparent to when 'make good' would apply. This could be addressed in a Water Management Plan and include baseline data to measure change.

3.2 Recommendation – Post Determination

- A water census of the neighbour's spring fed dams along the northern boundary be undertaken and a monitoring strategy be incorporated within the Water Management Plan. This is to include a 'make good' commitment if the water security changes due to the quarry impacts.

Explanation

There are several spring fed dams on the neighbour's property along the northern boundary. The proponent asserts these dams are sustained by the surficial aquifer and the quarry intercepts deeper regional groundwater systems, suggesting the dams are unlikely to be impacted.

However, monitoring data and topographic features inform a risk of impact. The topographic contours identify the spring fed dams are a little under 100m AHD and that the closest monitoring bores MW4 and MW8 have screen depths at similar AHD elevations as the spring dams and with long term water levels higher than the spring dams. Thus there is potential to alter groundwater flow and discharge volumes towards these dams.

The dams are relatively small and likely to be within the property's harvestable rights limit, meaning there are no registered work approvals issued but a water right exists nonetheless. A 'make good' provision should be extended to the loss in water security of these dams if impacted. A water census and ongoing assessment of potential impact to the dams would be required and should be addressed in a Water Management Plan.

End Attachment A